



MONTANA FISH AND WILDLIFE COMMISSION AGENDA ITEM COVER SHEET

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Meeting Date: June 8, 2023

Agenda Item: Amendments to Administrative Rules of Montana addressing Grizzly Bears

Action Needed: Approval to initiate rulemaking

Time Needed on Agenda for this Presentation: 15 minutes

Background: Current Administrative Rules of Montana (ARM) 12.9.1401 and 12.9.1403 address state management of grizzly bears. Senate Bill (SB) 295, if passed during the 2023 legislative session, would further clarify how Montana will manage delisted grizzly bears relative to human safety, conflict with livestock, and genetic exchange. SB 295 also requires the commission to adopt rules prior to delisting.

Public Involvement Process and Results: The Montana Secretary of State defines and implements the ARM development and amendment process, including process steps and timeline. This includes opportunities for public participation. If the commission approves the department's proposal to initiate rulemaking, the next step would be for the commission to consider proposed language from the department. This step would include opportunity for the public to comment on the proposed language to the commission.

Alternatives and Analysis: The alternative to initiating rulemaking would be to not initiate rulemaking. If SB 295 passes in the 2023 legislative session, this alternative would not address the rule requirement currently in SB 295.

Agency Recommendation and Rationale: Recommend approval of the department's proposal to initiate rulemaking for rules addressing grizzly bears and their management.

Proposed Motion: I move the Fish and Wildlife Commission approve initiation of rulemaking for grizzly bears as presented by the department.